

REMARKS

This communication is in response to the final Office Action issued on July 11, 2007. Claims 1, 3, 5-11, 16, and 18 are currently pending in this application. Claim 1 has been amended and no new matter has been added.

A. Rejection under 35 U.S.C. § 102 or in the alternative 35 U.S.C. § 103

On page 3 of the Office Action, the Examiner rejected claims 1, 3, 16, and 18 under 35 U.S.C. § 103(a) as obvious over Johnson et al. (U.S. Patent No. 4,203,488) in view of Wilens (U.S. Patent No. 4,605,058) or Mowatt (U.S. Patent No. 3,047,648).

As amended, claim 1 now recites, inter alia, at least one mounting flange **perpendicular to, and extending from,** the first side wall and **away from** the base portion and at least one mounting flange perpendicular to, and to extending from, the second side wall and away from the base portion, and a securing flange extending from a third side of the base portion in the first direction. The mounting flanges enable the mounting plate to be removably secured to a heat sink and the securing flanges secures the component to the mounting plate.

Johnson et al. discloses heat transfer elements 16 and 17. Heat transfer elements includes connectors 17a and 17b that extend from a first and second side wall respectively and **“in toward”** to a base portion of the heat transfer element 17. In addition, Johnson fails to disclose the recited hole and securing flange. This configuration is not the configuration now claimed by independent claim 1. Accordingly, Johnson et al. does not teach or suggest the invention of claim 1. Mowatt nor Wilens discloses mounting flanges and securing flanges as now claimed in claim 1 and thus do not cure the deficiencies of Johnson. Accordingly, the combination of Johnson and either Mowatt or Wilens does not teach or suggest the invention claimed by claim 1.

Claims 3, 16, and 18 depend from claim 1 and thus are not taught for at least the reasons discussed above with respect to claim 1.

On page 4 of the Office Action, the Examiner rejected claims 8-10 under 35 U.S.C. § 103(a) as obvious over Johnson et al. in further view of Sigl et al. (U.S. Patent No. 6,633,485), or Phelps (U.S. Patent No. 4,878,108). The Examiner relies on Sigl et al. or Phelps to cure the deficiencies of Johnson et al. with respect to claims 8-10. However, neither Sigl et al. nor Phelps et al. cures the deficiencies of Johnson with respect to claim 1 as now recited. Accordingly, the combinations of Johnson et al. and Sigl et al. or Johnson et al. and Phelps et al. fail to teach or suggest the invention of claims 8-10, which depend from claim 1.

On page 5 of the Office Action, the Examiner rejected claim 11 under 35 U.S.C. § 103(a) as obvious over Johnson et al. in further view of Sigl et al. (U.S. Patent No. 6,633,485), or Clemens (U.S. Patent No. 4,712,159). The Examiner relies on Sigl et al. and Clemens for their disclosure of materials from which the mounting plate can be configured. However, neither Sigl et al. nor Clemens cures the deficiencies of Johnson with respect to claim 1 as now recited. Accordingly, the combinations of Johnson et al. and Sigl et al. or Johnson et al. and Clemens fail to teach or suggest the invention of claim 11, which depend from claim 1.

On page 6 of the Office Action, the Examiner rejected claims 1, 3, 8, 9, 10, 11, 16, and 18 under 35 U.S.C. § 102(e) as anticipated by Sigl et al.

As amended, claim 1 now recited, inter alia, at least one mounting flange **perpendicular to**, and **extending from**, the first side wall and **away from** the base portion and at least one mounting flange perpendicular to, and to extending from, the second side wall and away from the base portion, and a securing flange extending from a third side of the base portion in the first direction. The

mounting flanges enable the mounting plate to be removably secured to a heat sink and the securing flanges secures the component to the mounting plate.

Sigl et al. discloses a heat sink. Heat sink includes a frame with an upper surface and free ends with inward projectors. This configuration is not the configuration now claimed by independent claim 1. Sigl et al. does not disclose flanges (i.e., projectors) that extend away from the side walls. Accordingly, Sigl et al. does not teach or suggest the invention of claim 1.

Claims 3, 8, 9, 10, 11, 16, and 18 depend from claim 1 and thus are not taught for at least the reasons discussed above with respect to claim 1.

On page 6 of the Office Action, the Examiner rejected claims 1, 3, 5-7, and 18 under 35 U.S.C. § 102(b) as anticipated by, or in the alternative, under 35 U.S.C. § 103(a) as obvious over Varanth et al. (US Patent No. 3,859,570) in view of Mowatt or Wilens

As amended, claim 1 now recited, inter alia, at least one mounting flange **perpendicular to**, and **extending from**, the first side wall and **away from** the base portion and at least one mounting flange perpendicular to, and to extending from, the second side wall and away from the base portion, and a securing flange extending from a third side of the base portion in the first direction. The mounting flanges enable the mounting plate to be removably secured to a heat sink and the securing flanges secures the component to the mounting plate.

Varanth et al discloses a heat sink. Heat sink includes a bracket formed with opening through which a power transistor is secured. The heat sink fails to include at least one hole extending down at least one of the first side wall and second side wall through to the base portion of the mounting plate through which to pass a lead of a component. Accordingly, Varanth does not teach or suggest the invention of claim 1. Mowatt nor Wilens discloses mounting flanges and securing flanges as now

claimed in claim 1 and thus do not cure the deficiencies of Johnson. Accordingly, the combination of Johnson and either Mowatt or Wilens does not teach or suggest the invention claimed by claim 1.

Claims 1, 3, 5-7, and 18 depend from claim 1 and thus are not taught for at least the reasons discussed above with respect to claim 1.

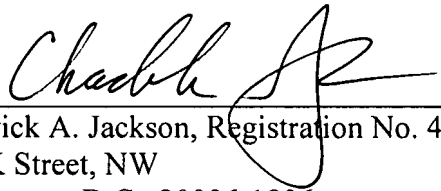
B. Conclusion

All claims are believed to be in condition for allowance. If the Examiner has any questions about this amendment and to facilitate prosecution, the Examiner is encouraged to call the undersigned attorney. The Commissioner is hereby authorized to charge any insufficient fees or credit any overpayment associated with this application to Deposit Account No. 50-4047 referencing 4157720003.

Respectfully submitted,

Bingham McCutchen LLP

Dated: 11.9.07

By: 
Chadwick A. Jackson, Registration No. 46,495
2020 K Street, NW
Washington, D.C. 20006-1806
(202) 373-6661 Telephone
(202) 373-6001 Facsimile